

|  |                          |                |
|--|--------------------------|----------------|
| <b>DECLARATION FOR<br/>UTILITY OR DESIGN<br/>PATENT APPLICATION<br/>(37 CFR 1.63)</b>  | Attorney Docket Number   | 24394          |
|  | First Named Inventor     | Richard Heller |
|  | <b>COMPLETE IF KNOWN</b> |                |
|  | Application Number       | To Be Assigned |
|  | Filing Date              |                |
|  | Group Art Unit           |                |
| <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing <span style="margin-left: 100px;">OR</span> <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) |                          | Examiner Name  |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ELECTROPORATION DEVICE AND METHOD**  
*(Title of the Invention)*

the specification of which

☒ is attached hereto  
 OR

☐ was filed on (MM/DD/YYYY) \_\_\_\_\_ as United States Application Number or PCT International Application Number \_\_\_\_\_ and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Numbers | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached?                          |
|-----------------------------------|---------|----------------------------------|--------------------------|---|
|                                   |         |                                  |                          | YES      NO                                       |
|                                   |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
|                                   |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
|                                   |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
|                                   |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) |  |
|-----------------------|--------------------------|--|
|                       |                          | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet TPO/SB/02B attached hereto. |
|                       |                          |  |

**Burden Hour Statement:** This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application<br>or PCT Parent Number | Parent Filing Date<br>(MM/DD/YYYY) | Parent Patent Number<br>(if applicable) |
|---|------------------------------------|---|
| 09/213,210                                      | 12/17/1998                         | Pending                                 |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the

Patent and Trademark Office connected therewith: ☐ Customer Number \_\_\_\_\_  
OR

☒ Registered practitioner(s) name/registration number listed below.


| Name                | Registration Number | Name                 | Registration Number |
|---------------------|---------------------|----------------------|---------------------|
| Herbert L. Allen    | 25,322              | Christopher F. Regan | 34,906              |
| Carl M. Napolitano  | 37,405              | Jeffrey S. Whittle   | 36,382              |
| Jacqueline E. Hartt | 37,845              | Richard K. Warther   | 32,180              |
| Enrique G. Estévez  | 37,823              | Michael W. Taylor    | 43,182              |

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

|                               |   |   |
|-------------------------------|---|---|
| Direct all correspondence to: | <input type="checkbox"/> Customer Number _____<br>or Bar Code Label _____ | OR <input checked="" type="checkbox"/> Correspondence address below |
| Name                          | Jacqueline E. Hartt, Ph.D.  |   |
| Address                       | Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.                          |   |
| Address                       | 255 South Orange Avenue, Suite 1401<br>P.O. Box 3791                      |   |
| City/State/Zip                | Orlando, Florida 32802-3791   |   |
| Country                       | US  | Telephone (407) 841-2330      Fax (407) 841-2343                    |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor ☐ A petition has been filed for this unsigned inventor.

|   |                        |
|---|------------------------|
| Given Name (first and middle — [if any])  | Family Name or Surname |
| Richard Heller  |                        |
| Inventor's Signature  | Date                   |
|  | 7/26/00                |
| Residence   | Country                |
| Temple Terrace, FL  | US                     |
| Post Office Address   | Citizenship            |
| 509 Terrace Hill Drive  | US                     |
| City/State/Zip  | Country                |
| Temple Terrace, FL 33617  | US                     |

☒ Additional inventors are being named on the   1   supplemental additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patentee: Richard Heller et al.  
Serial No.: 09/696,350  
Filing Date: 10/24/2000  
Art Unit: 3763  
Title: Electroporation Device and Method

Assistant Commissioner for Patents  
Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE  
(REVOCATION OF PRIOR POWERS)  
37 C.F.R. § 3.71(b)(1)**

As an authorized representative to act on behalf of the assignee for the above identified patent,

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

I hereby revoke all powers of attorney previously given and

**NEW POWER OF ATTORNEY**

I hereby appoint the following practitioners to prosecute and transact all business in the Patent and Trademark Office under:

**CUSTOMER NO. 21,901**

---

**SEND CORRESPONDENCE TO:**

Smith & Hopen, P.A.  
15950 Bay Vista Drive, Suite 220  
Clearwater, FL 33760  
Customer No.: 21,901

**DIRECT TELEPHONE/EMAIL TO:**

Anton J. Hopen  
anton.hopen@baypatents.com  
(727) 507-8558

---

**CERTIFICATE UNDER 37 CFR 3.73(h)**

The University of South Florida (herein "USF") certifies that they are the owner of the entire right, title, and interest in the patent application identified above by virtue of an assignment to USF dated September 26, 2000 by assignors Richard Heller, Richard Gilbert and Mark J. Jaroszeski, recorded in the United States Patent and Trademark Office at Reel/Frame 011391/0242 on October 24, 2000, a copy of which is attached hereto.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

03-14-2001

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

RE



101611641

IEET

D

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

- (X) New **10-24-06**  
( ) Resubmission (Non-Recordation)  
Document ID#  
( ) Correction of PTO Error  
Reel # Frame #  
( ) Corrective Document  
Reel # Frame #

**Conveyance Type**

- (X) Assignment ( ) Security Agreement  
( ) License ( ) Change of Name  
( ) Merger ( ) Other **09/696356**

U.S. Government  
(For Use ONLY by U.S. Government Agencies)

( ) Departmental File ( ) Secret File

10922 U.S. PTO  
09/696356

**Conveying Party(ies)**

(X) Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
**September 26, 2000**

Name (1) Richard Heller  
Name (2) Richard Gilbert  
Name (3) Mark J. Jaroszeski  
Name (4) \_\_\_\_\_

Execution Date  
Month Day Year

**Receiving Party**

( ) Mark if additional names of receiving parties attached

( ) If document to be recorded is  
an assignment and the  
receiving party is not  
domiciled in the United  
States, an appointment of a  
domestic representative is  
attached. (Designation  
must be a separate  
document from Assignment.)

Name (line 1) University of South Florida  
Name (line 2) \_\_\_\_\_  
Address (line 1) Division of Patents and Licensing  
Address (line 2) 4202 East Fowler Avenue, FAO 126  
Address (line 3) Tampa, FL 33620  
City State or Country Zip Code

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name \_\_\_\_\_  
Address (line 1) \_\_\_\_\_  
Address (line 2) \_\_\_\_\_  
Address (line 3) \_\_\_\_\_  
Address (line 4) \_\_\_\_\_

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number

407-841-2330

Name

Jacqueline E. Hartt, Ph.D.

Address (line 1)

Allen, Dyer, Doppelt, Milbrath &amp; Gilchrist, P.A.

Address (line 2)

255 South Orange Avenue, Suite 1401

Address (line 3)

Post Office Box 3791

Address (line 4)

Orlando, FL 32802-3791

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

# 3

Application Number(s) or Patent Number(s)

( ) Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year  
October 24, 2000

Patent Cooperation Treat (PCT)

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

Number of Properties

Enter the total number of properties involved. # 1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 40.00

Method of Payment:

Enclosed (X)

Deposit Account ( )

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 01-484

Authorization to charge additional fees:

Yes (X)

No ( )

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Jacqueline E. Hartt, Ph.D.

Name of Person Signing

  
Signature

October 23, 2000

Date

## ASSIGNMENT

For One Dollar (\$1.00) and other good and valuable consideration received of the hereinafter named Assignee, receipt of which is hereby acknowledged, we, the undersigned, Richard Heller, of 509 Terrace Hill Drive, Temple Terrace, FL 33617, Richard Gilbert, of 10740 N. 56th Street #108, Tampa, FL 33617, and Mark J. Jaroszeski, of 14621 Grenadine Drive #4, Tampa, FL 33613, have assigned all right, title, and interest to the UNIVERSITY OF SOUTH FLORIDA (hereinafter "USF"), acting for and on behalf of the Board of Regents, a public corporation of the State of Florida, USF having a place of business at 4202 East Fowler Avenue, FAO 126, Tampa, FL 33620-7900, its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries, in and to the inventions and discoveries in

### ELECTROPORATION DEVICE AND METHOD

having USF Disclosure Number 00B044 and set forth in the application for United States Letters Patent to be filed on October 24, 2000 United States Letters Patent, any and all other applications for Letters Patent on said inventions and discoveries in countries foreign to the United States, including all provisional, utility, divisional, renewal, substitute, continuation, and Convention applications based in whole or in part upon said inventions and discoveries or upon said applications, and any and all Letters Patent and reissues and extension of Letters Patent granted for said inventions and discoveries or upon said applications and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions and discoveries in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents of the United States of America and the empowered officials of all other governments being hereby authorized to issue or transfer all said Letters Patent to Assignee in accordance herewith; this Assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right heretofore given, and that the undersigned will do all acts reasonably serving to assure that the said inventions and discoveries, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned in this Assignment has not made, and particularly to execute and deliver to said Assignee all lawful documents, including petitions, and specifications, oaths, assignments, invention disclaimers and lawful affidavits in form and in substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions and discoveries or the history thereof and any and all documents, photographs, models, samples, or other physical exhibits which may be useful for establishing the facts of conception, disclosure, and reduction to practice of said inventions and discoveries, and to testify in any proceedings relating to said inventions and discoveries, patent applications and Letters Patent.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on the day and year set forth below.

Date: 9/26/00

Richard Heller  
RICHARD HELLER

STATE OF FLORIDA  
COUNTY OF Hillsborough

On this 26<sup>th</sup> day of September, 2000, before me personally appeared the above-named Richard Heller, to me personally known as the individual who executed the foregoing assignment, and who acknowledged to me that he executed the same of his own free will for the purposes therein set forth.

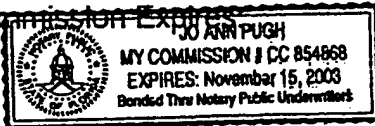
Jo Ann Pugh  
NOTARY PUBLIC  
My Commission Expires  
JO ANN PUGH  
MY COMMISSION # CC 854868  
EXPIRES: November 15, 2003  
Bonded Third Notary Public Underwriters

Date: 9/26/00

Richard Gilbert  
RICHARD GILBERT

STATE OF FLORIDA  
COUNTY OF Hillsborough

On this 26<sup>th</sup> day of September, 2000, before me personally appeared the above-named Richard Gilbert, to me personally known as the individual who executed the foregoing assignment, and who acknowledged to me that he executed the same of his own free will for the purposes therein set forth.

Jo Ann Pugh  
NOTARY PUBLIC  
My Commission Expires  
JO ANN PUGH  
MY COMMISSION # CC 854868  
EXPIRES: November 15, 2003  
Bonded Third Notary Public Underwriters

Date: 9-26-00

Mark J. Jaroszeski  
MARK J. JAROSZESKI

STATE OF FLORIDA  
COUNTY OF Hillsborough

On this 26<sup>th</sup> day of September, 2000, before me personally appeared the above-named Mark J. Jaroszeski, to me personally known as the individual who executed the foregoing assignment, and who acknowledged to me that he executed the same of his own free will for the purposes therein set forth.

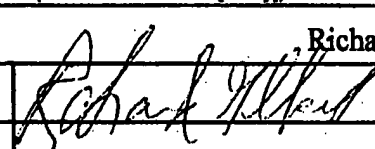
Jo Ann Pugh  
NOTARY PUBLIC  
My Commission Expires

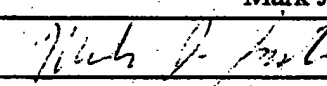




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|                    |  |
|--------------------|--|
| <b>DECLARATION</b> | <b>ADDITIONAL INVENTOR(S)<br/>Supplemental Sheet</b> |
|--------------------|--|

|   |   |  |         |
|---|---|--|---------|
| <b>Name of Additional Joint Inventor, if any:</b> |   | <input type="checkbox"/> A petition has been filed for this unsigned inventor. |         |
| Given Name (first and middle — (if any))          |   | Family Name or Surname   |         |
|   |   | Richard Gilbert  |         |
| Inventor's Signature                              |  | Date   | 9/26/00 |
| Residence   | Tampa, FL   | Country  | US      |
| Post Office Address                               | 10740 N. 56th Street #108   |  |         |
| City/State/Zip                                    | Tampa, FL 33617   | Country  | US      |

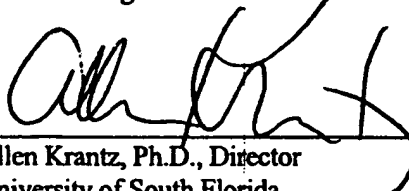
|   |   |  |         |
|---|---|--|---------|
| <b>Name of Additional Joint Inventor, if any:</b> |   | <input type="checkbox"/> A petition has been filed for this unsigned inventor. |         |
| Given Name (first and middle — (if any))          |   | Family Name or Surname   |         |
|   |   | Mark J. Jaroszeski   |         |
| Inventor's Signature                              |  | Date   | 9-26-00 |
| Residence   | Tampa, FL   | Country  | US      |
| Post Office Address                               | 14621 Grenadine Drive #4  |  |         |
| City/State/Zip                                    | Tampa, FL 33613   | Country  | US      |

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or of any patent issuing thereon.

Date:

7/18/02

  
Allen Krantz, Ph.D., Director  
University of South Florida  
Division of Patents & Licensing



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 14, 2001

PTAS  
ALLEN, DYER, DOPPELT, MILBRATH ET AL  
JACQUELINE E. HARTT, PH.D.  
255 SOUTH ORANGE AVENUE, SUITE 1401  
POST OFFICE BOX 3791  
ORLANDO, FL 32802-3791



\*101611641A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/24/2000

REEL/FRAME: 011391/0242  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HELLER, RICHARD

DOC DATE: 09/26/2000

ASSIGNOR:

GILBERT, RICHARD

DOC DATE: 09/26/2000

ASSIGNOR:

JAROSZESKI, MARK J.

DOC DATE: 09/26/2000

ASSIGNEE:

SOUTH FLORIDA, UNIVERISITY OF  
DIVISION OF PATENTS AND LICENSING  
4202 EAST FOWLER AVENUE, FAO 126  
TAMPA, FLORIDA 33620

SERIAL NUMBER: 09696350  
PATENT NUMBER:

FILING DATE: 10/24/2000  
ISSUE DATE:

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011391/0242 PAGE 2

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